

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

Darwin Johnson, Latonja D. Johnson, )  
Brenda J. Mathis, )  
Plaintiffs, )

v. )

City of Fayetteville; Shane Koehler, *individually*; )  
Jennifer Rodriguez, *individually*; Phyllis Jernigan, )  
*individually*; Chief Thomas Bergamine, *in his* )  
*official capacity as Chief of FCPD and individually*; )  
Dale Inman, *in his official capacity as City Manager* )  
*and individually*; Lt. Kevin Croyle; and Heather )  
Nicole St. John, )

Defendants.

**JUDGMENT**

No. 5:12-CV-456-F

**Decision by Court.**

**IT IS ORDERED, ADJUDGED AND DECREED** the court grants in part and denies as moot in part the Consent Motion to Dismiss [DE-380]. The court grants the Motion to Dismiss the remaining claims asserted by Darwin Johnson against Shane Koehler. To the extent the Consent Motion seeks dismissal of claims that have already been dismissed by previous court orders, the motion is denied as moot. All other pending motions are denied as moot.

This Judgment filed and entered on 6/19/15, with *electronic service* upon the following:

James H. Locus, Jr. - *plaintiffs' counsel*  
Brian Cromwell - *defendants' counsel*  
Collier R. Marsh- *defendants' counsel*  
Christopher M. Thomas - *defendants' counsel*  
David L. Levy - *defendant's counsel*  
Claude Rob Wilson - *defendant's counsel*

**JULIE RICHARDS JOHNSTON  
CLERK, U.S. DISTRICT COURT**

/s/ *Shelia D. Foell*

Deputy Clerk of Court